



August 6, 2020

Hon. Rachel P Kovner
United States District Court
Eastern District of New York
225 Cadman Plaza E
Brooklyn New York 11201

RE: *Whitaker et al. v. BBF Partners, LLC et al.*
Case No. 1:20-cv-02831-RPK-RML

Dear Judge Kovner,

As this Court is aware, this firm represents BBF Partners, LLC Day and Non-Party Tailored Fund Cap LLC (collectively “Funders”) in the aforementioned action. This firm has previously appeared on behalf of Rapid Cap Inc (“RC INC”), and Day to Day Funding, LLC (“DTD LLC”). We respectfully submit this correspondence in lieu of a formal motion to withdraw our representation of RC INC and DTD LLC.

This action was commenced naming RC INC and DTD LLC, in our opinion mistakenly, due to the fact that the contracts at issue were funded by the Funders, using an Assumed Name of Day to Day Funding and Rapid Cap, when in reality, RC INC and DTD LLC are entities that the Funders are in no way related to.

Initially we entered our appearance with the understanding that the Plaintiffs intended to name the assumed names of the Funders as parties. It has come to our knowledge that this was not the case, and the entities named were distinct entities.

At no time have we had any communications with RC INC and DTD LLC or any of the principals, partners or representatives, regarding this action, nor our representation therein. As such, this firm was not retained to represent RC INC and DTD LLC.

Accordingly, it is respectfully requested that this Court grant the instant motion and withdraw this firm’s representation from RC INC and DTD LLC.

We thank the Court for Your Honor’s time and consideration with regards to this matter. If there are any questions or comments please do not hesitate to contact the undersigned at your convenience.

Sincerely,

Ariel Bouskila

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